



PATENT
Docket No.: 12013/59401

#7
Election
S. Byrce
8/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Jan WEBER et al.
Serial No. : 10/035,158
Filed : January 4, 2002
For : NON-COMPLIANT BALLOON WITH COMPLIANT TOP-
LAYER TO PROTECT COATED STENTS DURING
EXPANSION
Group Art Unit : 3738
Examiner : Alvin J. STEWART

M.S. Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sirs:

This paper is submitted in Response to the July 22, 2003, Office action which set a one month statutory shortened period of response extending through and including August 22, 2003.


Although no fees are believed to be due, the Commissioner is hereby authorized to charge Kenyon & Kenyon Deposit Account No. 11-0600 for any applicable fee.

The Office action asserts that restriction is required under 35 U.S.C. § 121 and identifies three distinct groups, claims 1-18, claims 19 and 20, and claims 21 and 22, from which restriction should be made. In response, the undersigned elects species no. 1 of group 1 (claims 1-18), for further prosecution on the merits. This is without prejudice to or disclaimer of the subject matter recited in claims 19-20, and 21-22, the non-elected claims.

Should the Examiner require any additional information regarding this Response,
the Examiner is invited to contact the undersigned at (202) 220-4311.

Respectfully submitted,

Date: August 22, 2003



Fred T. Grasso
Reg. No. 43,644

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